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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,382	01/29/2004	Jeff Bremmon	3156.17US02	3782

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EXAMINER

SZUMNY, JONATHON A

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/768,382		BREMMON ET AL.	
	Examiner		Art Unit	
	Jon A Szumny		3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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This is the first office action for application number 10/768,382, Universal Mount Bracket, filed on January 29, 2004.

Priority

Domestic priority of application number 60/462,371 filed on April 11, 2003 is acknowledged.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

“Opposed tapered end 50” and “longitudinally displaced oval bores 64”.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter that the applicant regards as his invention.

Claims 15-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 15, the applicant recites the step of mounting each flat panel display to a “mount bracket set” in lines 3-4, but then recites the step of shiftably coupling a mount structure to “a pair of mount brackets” in line 5. It appears from page 3 of the specification and the drawings that the mount bracket set *comprises* a pair of mount brackets, and for the purposes of this office action, the Examiner will assume this is so.

Claim Rejections - 35 USC § 102

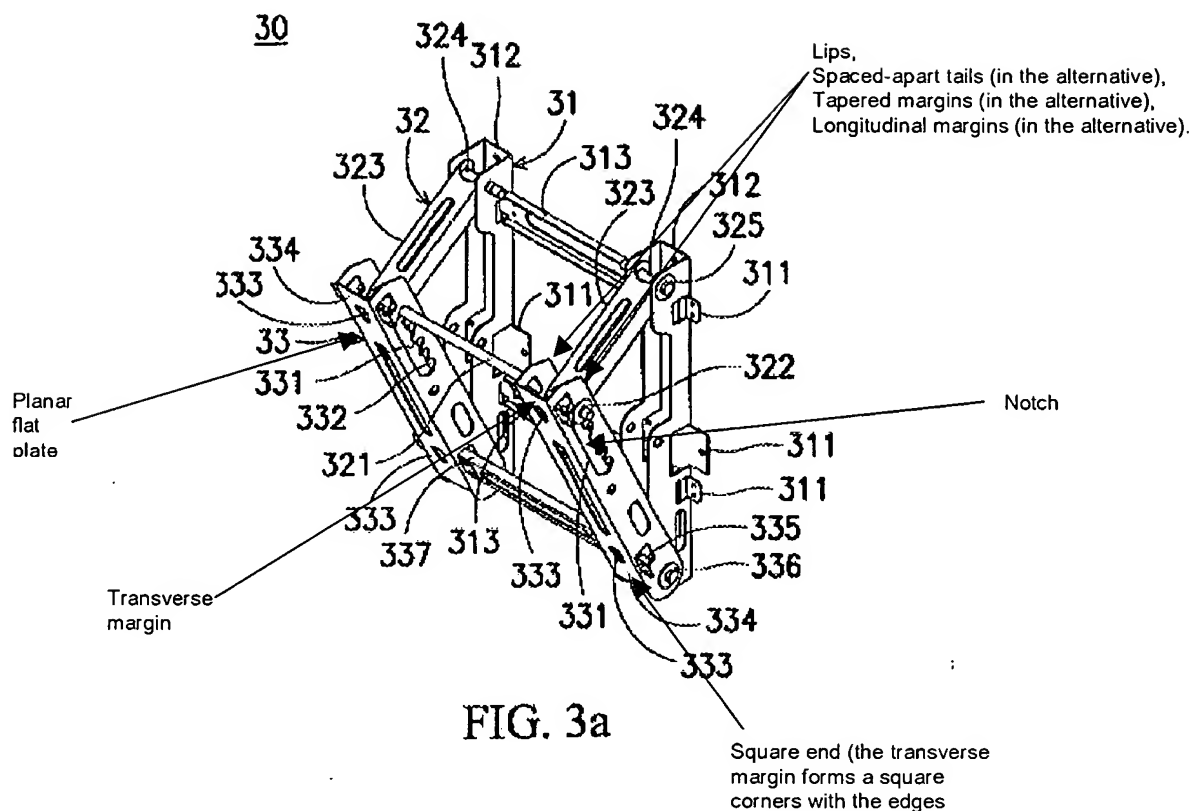
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent

Application number US 2002/0033436 to Peng et al.



Regarding claims 1-4 and 8-11, Peng et al. '436 divulges a mount (above) for mounting a flat panel display (40) comprising a mount structure (312, left and right sides) shiftably coupled (via 323, left and right sides) to a pair of mount brackets/mount bracket set (334, left and right sides) each having a substantially planar flat plate (above) with a series of mounting bores (333) defined therein, wherein each bracket is a mirror image of the other mount bracket, wherein each bracket has a lip (above) formed along first and second longitudinal side margins.

With respect to claims 5 and 12, Peng et al. '436 alternatively teaches each mount bracket to have a square and opposed ends, the opposed end having a transverse margin and two spaced apart tails (above).

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With respect to claims 6 and 13, Peng et al. '436 alternatively teaches each mount bracket to have a square and opposed ends, the opposed end having a transverse margin and a tapered margin adjacent the transverse margin (above).

With respect to claims 7 and 14, Peng et al. '436 alternatively teaches each mount bracket to have a notch (above) defined in a longitudinal margin.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-21 rejected under 35 U.S.C. 103(a) as being unpatentable over Peng et al. '436 in view of U.S. Patent number 2,621,357 to Stuman.

Peng et al. '436 teaches the previous inventions, and inherently teaches a method of mounting a flat panel display via the previously described mount, but fails to specifically teach mounting a plurality of flat panel displays via respective mounts. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have mounted a plurality of flat panel displays via respective mounts since doing so would be seen as simply a duplication of parts. See *In re Harza*, 274 F.2d 669, 124 USPQ 378 (CCPA 1960).

Moreover, Peng et al. '436 teaches the previous invention, wherein each mount bracket has a series of mounting bores that allows the flat panel display to be mounted thereto via bolts (42), but fails to specifically teach each flat panel display to have a unique set of bores in registry

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with the bores of the mounting brackets. Nevertheless, Stuman '357 divulges a method of mounting a device (18) to a mounting bracket (13) via bolts (24) and aligned bores (21 and the holes which the bolts are inherently screwed into). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bolts (42) so as to be screwed into bores in a section (41) of the flat panel display in order to quickly allow for replacement of a damaged bolt in addition to allowing for bolt heads of various sizes to be utilized with the flat panel display.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mizutani '681, Archer '377, Dittmer '109, Kim '242 and Parker '992 teach various mounting brackets and flat panel display mounting apparatuses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon A Szumny whose telephone number is (703) 306-3403. The examiner can normally be reached on Monday-Friday 8-4.

The fax phone number for the organization where this application and proceeding are assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is

(703) 308-1113.

A handwritten signature in black ink, appearing to read 'Jon Szumny', with a stylized, looping flourish extending to the right.

Jon Szumny
Patent Examiner
Technology Center 3600
Art Unit 3632
December 7, 2004